

**MINUTES**  
**BOARD OF SELECTMEN MEETING**  
**DAMARISCOTTA TOWN OFFICE**  
**January 19, 2022 5:30 p.m.**  
**Live and Via Zoom**

**Members:** Daryl Fraser, Chairperson; Louis Abbotoni, Tom Anderson; Mark Hagar, and Josh Pinkham

**Members Absent:** None

**Staff Present:** Matt Lutkus, Town Manager; Lynda Letteney, recording secretary

**Others Present:** Police Chief Jason Warlick, Sgt. Erick Halpin, Jaime and Logan Jenkins, Members of the Jenkins family, Geoff Keochakian, LCTV; and Nate Poole, Lincoln County News

**I. Pledge of Allegiance:** Chairperson Fraser led the Pledge of Allegiance at 5:30 p.m.

**II. Public Hearing on Remote Meeting Attendance**

Matt Lutkus addressed this saying it is now State Statute and local regulations follow the Statute. There were no comments from the public.

**III. Call to Order**

The Select Board's meeting was called to order at 5:32 p.m. by **Chairperson Fraser**. The first order of business was to address the public hearing.

**On motion (Pinkham/Abbotoni) to accept the State Statute regarding remote meeting attendance as the Damariscotta policy.** **Vote: 5-0-0**

**IV. Presentation: Chief Warlick presenting the 2021 Life Saving Award**

Chief Warlick gave an overview of the award saying there was a tragic accident on 12/7/21 on Route 1. One person lost her life; another was badly injured and trapped in a burning vehicle. Two men, Jaime and Logan Jenkins broke through a window and dragged the man to their vehicle until EMS arrived. For their heroics and quick thinking the Damariscotta Police Department awarded them the Life Saving Award for 2021. Their parents and other relatives were present.

**V. Minutes**

**On motion (Pinkham/Anderson) to approve the minutes of 1/5/22 as amended** **Vote: 3-0-0**

**VI. Financial Reports**

**1. On motion (Abbotoni/Anderson) to approve Payroll Warrant #38** **Vote: 5-0-0**

**2. On motion (Abbotoni/Fraser) to approve Accounts Payable Warrant # 39** **Vote: 3-1-1**  
(Pinkham in the negative; Hagar abstained)

**3. On motion (Abbotoni/Anderson) to approve Accounts Payable Warrant #40** **Vote: 4-0-1**  
(Hagar abstaining)

**VII. Citizens Comments and General Correspondence**

**1. Matt** had a request from a citizen regarding mask mandates. **Matt** responded that they will follow all State approved mandates.

**2. Anton Lahnston** spoke as the co-chair of the Public Safety and Accessibility Committee. They have been working with the community and **Matt**. They have two items on the agenda:

A. Miles Street – They favor using ARAP Funds to move forward and rebuild. They are requesting money from ARAP be designated for this.

B. Church Street – Maine DOT is involved. Biscay Rd. to Rt. 1 to complete sidewalk to end of

existing walkway. This adds 900 ft. of sidewalk. It is a big project and they would like it included in the bond issue agenda for February. Both of these are really important for the Town.

#### **VIII. Town Manager's Items**

**1. Discussion of Juneteenth (19<sup>th</sup>) as a Town Holiday** - This has been declared a federal holiday; the State usually follows; and accordingly, the Towns follow suit. This is a celebration of the slaves' emancipation and notification (2 years later) to the slaves in Texas. It only affects public employees. **Daryl Fraser** asked how many holidays we had now. **Matt** said 12. **Tom Anderson** asked if it was consistent with other towns. **Daryl** asked about workloads. **Matt** said losing a day of work is significant. However, it is an important day in history. Most private businesses are not celebrating this. **Tom Anderson** said that recognition doesn't necessarily have to correlate with a day off. Again, **Tom** asked what others are doing. **Matt** said this was an introduction of the topic.

**2. Marijuana Ordinances** - Currently we have one recreational and 2 medical licenses issued with another recreational sought. The owner of the first recreational wants to purchase the 2<sup>nd</sup> one, not so much to open a 2<sup>nd</sup> retail, but to prevent someone else from using it, thus eliminating the competition. No law against it; no local or state law to prohibit it. **Daryl** said he thought the spirit of the law was to have two different owners. **Matt** said they would have to amend the ordinance. **Matt** also said he felt the line between medical and recreational was blurred. He thought the intent was to have 2 two different owners for each license to keep the competition. Also, there needs to be a public hearing on licensing fees set by the Board. **Josh Pinkham** suggested having Amanda work on this. **Matt** said he could have it ready for the June meeting.

#### **IX. Official Action Items**

**1. Letter of Intent for CDBG Grant Application** – **Evan** got 2 more residents (1 of 10 no longer resides in the area). We have 8 out of 9 which equals 68%, considered high. **Mary Ellen Barnes** (editing) and **Evan** have worked hard to get the Letter of Intent completed.

**On motion (Hagar/Anderson) to approve the Letter of Intent as the initial step for Community Development Block Grant funding for the Hodgdon Street Drainage Project.** **Vote: 5-0-0**

**2. February 16<sup>th</sup> Public Hearing and Special Town Meeting Warrant** – **Nate Poole** did a great job outlining the articles (1-4) in the paper.

**On motion (Pinkham/Abbotoni) to approve the Warrant for the Special Town Meeting and Public Hearing on February 16, 2022.** **Vote: 5-0-0**

#### **3. Agreement with Nobleboro-Jefferson Transfer Station Contract and Payment for 2022**

The Board believes this agreement is an asset to the Town. The 2022 contribution for Damariscotta is an increase of 4.8%. There has been no issue; businesses are hiring contractors for their portion. The percentage is fair based on population. Nobleboro and Jefferson rates are lower as owners; Damariscotta, Bremen and Newcastle are higher as non-owners. Damariscotta's contribution is \$138,328 representing a 4.8% increase over 2021. They are efficient and use carry over rather than capital reserves. Last year there was \$110K surplus. **Daryl Fraser** commented that the percentage was a minor increase all things considered.

**On motion (Pinkham/Abbotoni) to approve a contract with the Nobleboro-Jefferson Transfer Station that includes the Town's 2022 contribution of \$138,328.** **Vote: 5-0-0**

#### **4. Interlocal Agreement for Ambulance Services**

**Selectman Tom Anderson** attended the meeting to discuss interlocal ambulance services. He stated to the Board that the formula for establishing rates for service comes up every meeting even when it is not on the agenda. Proposal now on the table is \$160K for 2022 going to \$154K in 2023. Distributed as: 1/3 call; 1/3 valuation and 1/3 population. **John Roberts** suggested, under advisement, separating the formula from the agreement. **Joe Rose** said the attendees wanted to improve the local agreement. i.e. In case of emergency, sometimes fire department personnel have to do driving- whose insurance does the coverage? Or contracted towns (i.e. Edgecomb) are charging a premium, but have no assets to deal with as far as maintenance and upkeep. In these cases there is less allocation and no contribution to equipment, etc. **Tom** felt the last meeting was very productive with everything still “in the works” pending legal review.

**On motion (Abbotoni/Pinkham) to take no action at this time and to table the item. Vote: 5-0-0**

#### **5. Shellfish Warden Services Contract**

The contract remains the same as in past years, with appropriate date changes. Damariscotta serves as the “administrative town” for the Shellfish Conservation Ordinance while Newcastle provides this function for the Harbor Management Ordinance. The Two towns work together to administer the same rules and regulations through the two respective oversight committees. The expenses for the Shellfish Committee including compensation for warden services are paid out of a joint account that is funded by the sale of shellfish permits. \$5,000 is set aside for this. Last year \$1300 was spent. They would like to see more enforcement for deputies.

**On motion (Abbotoni/Hagar) to authorize the Board Chair, Daryl Fraser, to sign an agreement with the Lincoln County Sheriff’s Office to provide shellfish warden services in accordance with the Damariscotta and Newcastle Shellfish Conservation Ordinances. Vote: 5-0-0**

#### **6. Agreement re: Storage of Information Bureau Building Contents**

Once the Town receives the deed from the State for the parcel on which the Information Bureau building is located, the Board will be asked to execute a long-term lease with the Chamber of Commerce for the use of the land. The building contains a number of historical items that could be lost or damaged during the renovation process. Pending Board approval, Matt has offered to store such items in the Town Hall basement. Jim Gallagher who oversees the Information Bureau organization has drafted a borrowing agreement for the Board’s consideration. The Town’s insurance covers items on Town property, but items need appraisal. There is no extra cost.

**On motion (Fraser/Anderson) to authorize the Town Manager to execute a “Bailment” Agreement with the Chamber of Commerce for the storage and possible display of Information Bureau building contents at Town Hall. Vote: 5-0-0**

#### **X. Selectmen Discussion**

**Tom Anderson** said he had been thinking about the presentation Haas Tobey made a while back regarding a replica of the Ocean Herald. He thought maybe a Town flag could be created to enhance the Town’s image. As far as content, he was thinking of a replica of the Ocean Herald. **Matt Lutkus** asked about the Town logo. **Tom** said he preferred the Ocean Herald. **Mark Hagar** asked about a two-sided flag.

**Lou Abbotoni** said the State DOT is getting new money. **Question:** How does that affect us? (? time frame) **Matt** said it might be a possibility that we could get some money. He will ask Senator King and MMA for more information. **Mark Hagar** asked about School St. and if it could be included. **Lou Abbotoni** also asked about the Charitable Funds. **Matt** said there had not been a discernable increase. **Lou** asked if heating oil was an okay expense. **Matt** said yes. **Lou** suggested checking with suppliers as they would know customers in arears and/or needing assistance. **Josh Pinkham** said the Community Emergency Funds are also available.

**Mark Hagar** asked about CMP and the right of way for the poles. When a pole snaps, whose responsibility? **Matt** said it was CMP's. **Mark** said if it's their pole, they need to take care of it. Example-Biscay and Lessner Rd. **Matt** said let me know and I'll contact them. Also, he needs to be more aware of where new poles are going in; so CMP can try avoiding in the ditch.

**Josh Pinkham** was all set

**Daryl Fraser** said he was very pleased with the police recognition of the two young men from Friendship

#### **XI. Adjournment**

On motion (**Pinkham/Hagar**) to adjourn the Board of Selectmen's meeting at 6:20 p.m. to go into Executive Session

Vote: 5-0-0

On motion (**Pinkham/Hagar**) to go into Executive Session regarding discussion of Union Request for Renegotiation of Police Officer Collective Bargaining Agreement per 1 M.R.S.A. 405(6) D. Vote: 5-0-0

The Board returned from Executive Session with no action taken and On Motion adjourned the meeting at 6:50 p.m.


Respectfully submitted,

**Lynda L. Letteney**  
Recording Secretary

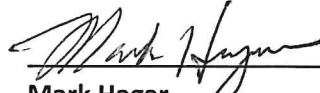
We, the undersigned, do hereby approve as written, or with corrections as noted, the minutes of the above-designated Select Board meeting on

  
\_\_\_\_\_  
**Daryl Fraser, Chairperson**

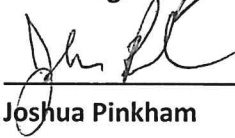
  
\_\_\_\_\_  
**Louis Abbotoni**



Tom Anderson



Mark Hagar



Joshua Pinkham

Town of Damariscotta, Select Board meeting, signed this date: 2-2-22